

Entered - 11/20/03 - sb
CL - 03L0922 - LISA CARTER

CLAIM OF: STATE FARM INSURANCE COMPANIES
as subrogee of Lana K. Wagner
11350 Johns Creek Parkway
Duluth, Georgia 30098

04-12-0082

ADOPTED BY
FEB 02 2004
COUNCIL

For damages alleged to have been sustained as a result of a tree limb falling on her vehicle on August 24, 2003 at 1147 Knott Street, SE.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **STATE FARM INSURANCE COMPANY as subrogee of Lana K. Wagner** the sum of **\$759.78** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a tree limb falling on her vehicle on August 24, 2003 at 1147 Knott Street, SE as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

FEB 02 2004

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY:

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

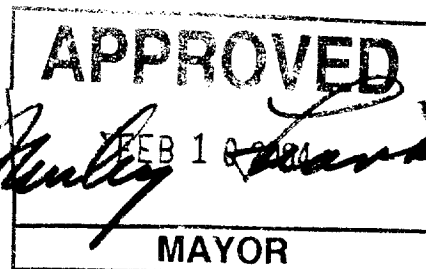
PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

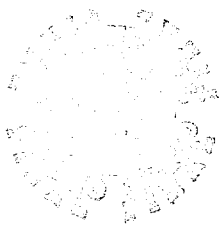
DATE 1/27/04

COM. BY

Cliff Henderson
Nancy Woodward
Paul Stull
Don J. ...
Carla Smith



Richard D. ...
MUNICIPAL CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-0082

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **State Farm Insurance Companies as subrogee of Lana K. Wagner** in the sum of **\$759.78** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of a tree limb falling on her vehicle on August 24, 2003 at 1147 Knott Street, SE** set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**FEB 02, 2004
FEB 10, 2004**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0922

Date: January 13, 2003

Claimant /Victim STATE FARM INSURANCE COMPANIES as subrogee of Lana K. Wagner

BY: (Atty) (Ins. Co.) _____

Address: 11350 Johns Creek Parkway Duluth, Georgia 30098

Subrogation: X Claim for Property damage \$ 759.78 Bodily Injury \$ _____

Date of Notice: 10/31/03 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 08/24/03 Place: 1147 Knott Street

Department Parks, Recreation and Cultural Affairs Bureau: Parks Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's vehicle sustained damages as a result of falling tree limbs at 1147 Knott Street. An investigation determined that the city was on notice of the existence of a problem with the tree, but failed to remove it in a timely manner.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures X Diagrams _____ Reports: Police _____ Dept Report X Other X

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

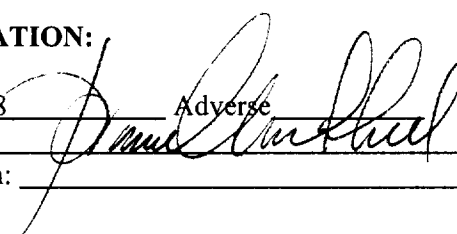
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 759.78 Adverse  Account charged: 1A01 X 2J01 _____ 2P01 _____

Claims Manager: _____ Concur/date 01/15/04

Committee Action: _____ Council Action _____

CONSENT I

2-02-4 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0033 2. 04-O-0037 3. 04-O-0151 4. 04-O-0159 5. 04-O-0153 6. 04-R-0176 7. 04-R-0133 8. 04-R-0178 9. 04-R-2123 10. 04-R-0135 11. 04-R-0136 12. 04-R-0137 13. 04-R-0138 14. 04-R-0139 15. 04-R-0145 16. 04-R-0146 17. 04-R-0147 18. 04-R-0148 19. 04-R-0149 20. 04-R-0150 21. 04-R-0154 22. 04-R-0160 23. 04-R-0161 24. 04-R-0162 25. 04-R-0164 26. 04-R-0184 27. 04-R-0140 28. 04-R-0170 29. 04-R-0076 30. 04-R-0077 31. 04-R-0078 32. 04-R-0079 33. 04-R-0080 34. 04-R-0081 35. 04-R-0082 36. 04-R-0083 37. 04-R-0084 38. 04-R-0085 39. 04-R-0086 40. 04-R-0087	41. 04-R-0088 42. 04-R-0089 43. 04-R-0090 44. 04-R-0091 45. 04-R-0092 46. 04-R-0093 47. 04-R-0094 ITEMS ADVERSE ON CONSENT 48. 04-R-0096 49. 04-R-0097 50. 04-R-0098 51. 04-R-0099 52. 04-R-0100 53. 04-R-0101 54. 04-R-0102 55. 04-R-0103 56. 04-R-0104 57. 04-R-0105 58. 04-R-0106 59. 04-R-0107 60. 04-R-0108 61. 04-R-0109 62. 04-R-0110 63. 04-R-0111 64. 04-R-0112 65. 04-R-0113 66. 04-R-0114 67. 04-R-0115 68. 04-R-0116 69. 04-R-0117 70. 04-R-0118 71. 04-R-0119 72. 04-R-0120 73. 04-R-0121 74. 04-R-0122 75. 04-R-0123 76. 04-R-0124